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No. 1057

IN THE

Supreme Court of the United States

OCTOBER TERM, 1962.

APPLETON ELECTRIC COMPANY, a Corporation,
Petitioner,

vs.

JOHN M. JANECKO,
Respondent.

ANSWER TO PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF ILLINOIS.

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The Scheffer Press, Inc.—ANdover 3-6850

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To the Honorable the Chief Justice and the Associate Justices of the Supreme Court of the United States:

John M. Janecko, respondent herein, prays that the petition of Appleton Electric Company for a writ of certiorari in this cause be denied.

STATEMENT OF THE CASE.

John M. Janecko, respondent, filed suit in the Municipal Court of Chicago, State of Illinois, Case No. 60 M 106761, to recover damages for breach of contract of employment by the Appleton Electric Company, petitioner herein.

The Trial Court found the issues for John M. Janecko, the plaintiff in said cause, from which judgment the petitioner herein appealed to the Appellate Court of the State of Illinois, which court sustained the judgment of the Municipal Court of Chicago, Illinois. The petitioner then filed its peti-

tion in the Supreme Court of the State of Illinois for leave to appeal from the judgment of the Appellate Court in this cause, which prayer was denied.

The facts are more fully set forth in the opinion of the Appellate Court of Illinois and attached to the Petition and need not be repeated herein.

REASONS FOR DENYING WRIT

This court should refuse to exercise its jurisdiction in this case for the following reasons:

(1) No constitutional question is involved in this cause.

(2) The statement of the petitioner that the Municipal Court of Chicago, Illinois is referring cases, *en masse*, to commissioners is not supported by the record herein, and is not in issue in this case.

(3) It is not for counsel, by unsupported statements in either his brief or argument, to impugn, stultify or impeach the record of the Municipal Court.

CONCLUSION.

WHEREFORE, for all of the foregoing reasons, the petition for a writ of certiorari to review the judgment of the Supreme Court of the State of Illinois should be denied.

Respectfully submitted,

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